

MAR 02 2009

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)  
(Small Entity)**Docket No.  
133697-0018

In Re Application Of: Xuejun CHEN

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/583,587	June 19, 2006	Herbert Lilling	35684	1657	1444

Invention:

**A METHOD FOR SEPARATING, EXTRACTING AND PURIFYING POLY-D-HYDROXYALKANOATES (PHAs) DIRECTLY FROM BACTERIAL FERMENTATION BROTH****COMMISSIONER FOR PATENTS:**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of September 2, 2008 in the above-identified application.  
*Date*

The requested extension is as follows (check time period desired):

☐ One month    ☐ Two months    ☒ Three months    ☐ Four months    ☐ Five months

from: December 2, 2008  
*Date*until: March 2, 2009  
*Date*☒ Applicant claims small entity status. See 37 CFR 1.27The fee for the extension of time is **\$555** and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **12-2136**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **12-2136**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Michael S. Gzybowski

Dated: March 2, 2009

03/02/2009 VBUI11 00000025 122136 10503587

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CC:

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

P12SMALL/REV09

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PTO/SB/17 (10-07)

Approved for use through 06/30/2010. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2008</b>		<b>Complete If Known</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/583,587
		Filing Date	June 19, 2006
		First Named Inventor	Xuejun CHEN
		Examiner Name	Herbert Lilling
		Art Unit	1657
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> <b>\$555.00</b>		Attorney Docket No.	133697-0028

**METHOD OF PAYMENT (check all that apply)**

☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account    Deposit Account Number: 12-2136    Deposit Account Name: Butzel Long

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or any underpayments of fee(s) under 37 CFR 1.18 and 1.17    ☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP = \_\_\_\_\_ x \$26.00 = \$0.00  
 HP = highest number of total claims paid for, if greater than 20.

Indep. Claims    Extra Claims    Fee (\$)

- 3 or HP = \_\_\_\_\_ x \$110.00 = \$0.00  
 HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	_____	_____ / 50 _____ (round up to a whole number) x <u>\$135.00</u>		<u>\$0.00</u>

**4. OTHER FEE(S)**

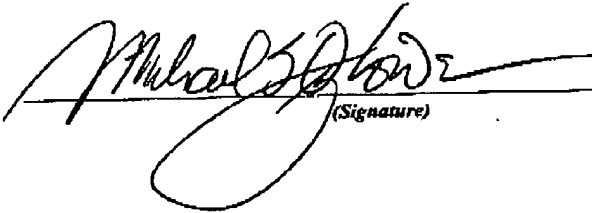
Non-English specification, \$130 fee (no small entity discount)  
 Other (e.g., late filing surcharge): Three Month Extension of Time \$555.00

<b>SUBMITTED BY</b>		Registration No.	32,816	Telephone	734-995-3110
Signature		(Attorney/Agent)		Date	March 2, 2009
Name (Print/Type)	Michael S. Gzybowski				

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR 02 2009

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. 133697-0028	
Applicant(s): Xuejun CHEN				
Application No. 10/583,587	Filing Date June 19, 2006	Examiner Herbert Lilling	Group Art Unit 1657	
Invention: <b>A METHOD FOR SEPARATING, EXTRACTING AND PURIFYING POLY-β-HYDROXYALKANOATES (PHAs) DIRECTLY FROM BACTERIAL FERMENTATION BROTH</b>				
<p>I hereby certify that this <u>Amendment, Three Month Extension of Time and Fee Transmittal</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>March 2, 2009</u> (Date)</p> <p><u>Michael S. Gzybowski</u> (Typed or Printed Name of Person Signing Certificate)</p> <p> (Signature)</p> <p>Note: Each paper must have its own certificate of mailing.</p>				

P18/REV02